

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

02-CR-73-A

JOEL CICERO,

Defendant.

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**STATEMENT OF THE GOVERNMENT WITH RESPECT**  
**TO SENTENCING FACTORS**

PLEASE TAKE NOTICE, that the government hereby adopts all findings of the Pre-sentence Report with respect to sentencing factors in this action.

The defendant is required by 18 U.S.C. § 3013 to pay the sum of \$100.00 at the time of sentencing.

DATED: Buffalo, New York, October 11, 2006.

Respectfully submitted,

TERRANCE P. FLYNN  
United States Attorney

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TO: Joseph M. Latona, Esq.  
David W. Ball, U.S. Probation Officer

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 11, 2006, I electronically filed the foregoing **STATEMENT OF THE GOVERNMENT WITH RESPECT TO SENTENCING FACTORS** with the Clerk of the District Court using its CM/ECF system.

I hereby certify that on October 11, 2006, I have mailed the foregoing **STATEMENT OF THE GOVERNMENT WITH RESPECT TO SENTENCING FACTORS**, by the United States Postal Service, to the following non-CM/ECF participants:

Joseph M. LaTona, Esq.  
716 Brisbane Building  
Buffalo, New York 14203

s/Karen A. Brown  
KAREN A. BROWN